

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

ROAL ENIX,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-15-876-D
	)	
SHERIFF OF KAY COUNTY,	)	
OKLAHOMA,	)	
	)	
Defendant.	)	

**ORDER**

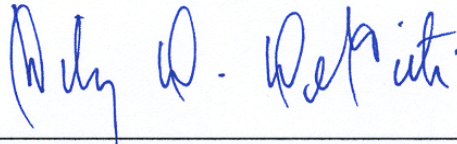
Plaintiff brought this action, which liberally construed, petitioned the Court for a writ of habeas corpus under 28 U.S.C. § 2241. The matter was referred to United States Magistrate Judge Charles B. Goodwin for initial proceedings in accordance with 28 U.S.C. § 636(b)(1)(B). On October 20, 2015, the Magistrate Judge filed his Report and Recommendation [Doc. No. 8] in which he recommended that the Court dismiss Plaintiff's case for failing to (1) pay the filing fee for a habeas action, (2) submit the required information to apply for leave to proceed *in forma pauperis*, and (3) to generally provide the Court with the requisite information to initiate and prosecute a habeas action. Report and Recommendation at 4.

In his Report and Recommendation, the Magistrate Judge advised Plaintiff of his right to object to the report and directed Plaintiff to file any objections no later than November 10, 2015. The Magistrate Judge further admonished Plaintiff that

failure to timely object would constitute a waiver of the right to appellate review of the factual and legal issues addressed in the Report and Recommendation. The deadline for filing objections has expired and to date, Plaintiff has not filed an objection or sought an extension of time in which to do so.<sup>1</sup>

Accordingly, the Report and Recommendation [Doc. No. 8] is **ADOPTED** as though fully set forth herein. Plaintiff's action is hereby **DISMISSED WITHOUT PREJUDICE**. Plaintiff's Motion to Appoint Counsel [Doc. No. 9] is **DENIED** as moot.

IT IS SO ORDERED this 20<sup>th</sup> day of November, 2015.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Although Plaintiff submitted an Application for Appointed Counsel on a form provided by the Kay County District Court and two letters after receipt of the Report and Recommendation [Doc. Nos. 9-11], neither document was responsive to the Magistrate Judge's directives.